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EXAMINER
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ART UNIT	PAPER NUMBER
4143	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/709,184	GAGNON ET AL.
	Examiner	Art Unit	
	MICHAEL D. CRANFORD	4143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04/20/04*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *1-38* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04/20/04* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Status of Claims

1.   This action is in reply to the application filed on 20 April 2004.

2.   Claims 1-38 are currently pending and have been examined.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly

claiming the subject matter which the applicant regards as his invention.

4.   Claims 20 and 28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention. In the claims the word processor is used. For the purpose of this examination, the

Examiner will assume that processor refers to a computer generated application.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for

the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or

in public use or on sale in this country, more than one year prior to the date of application for

patent in the United States.

6.   Claims 1-38 are rejected under 35 U.S.C. 102(b) as being unpatentable over Wherry et al. (US

PGP 2002/0038273 A1).

7.   **Claim 1:**

Wherry et al. shown, discloses the following limitations:

- *determining a quantity of triggers flagged for a selected creditor; and establishing*

    an action plan in response to the quantity of flagged triggers being greater than a

    predetermined number (see at least page 7 paragraph 0067....the reporting

    process receives from the monitoring process the user established criteria that

    would trigger an alert. The values are compared and a determination is made if

    the trigger is exceeded)

8.   **Claim 2:**

Wherry et al. shown, discloses the following limitations:

- *reviewing a status of each creditor at predetermined time intervals* (see at least

    page 1 paragraph 0004....the performance of each security must be reviewed by

    the manager as must the performance of the combination of the securities

    comprising the portfolio)

9.   **Claim 3:**

Wherry et al. shown, discloses the following limitations:

- *creditor is selected in response to identifying any status indicators for the creditor*

    (see at least page 7 paragraph 0061....an investor manager may wish to be

    alerted when residual risk, a value associated with non-diversified risk of a

    portfolio, reaches a particular value. As the market shifts or composition of the

    portfolio is altered, residual risk may raise beyond a desired value indication to

    the investment manager that a careful look at the portfolio is warranted)

10.   **Claim 4:**

Wherry et al. shown, discloses the following limitations:

- *taking no action in response to not identifying any status indicators for the creditor* (see at least page 7 paragraph 0067…at the same time the process receives data from the investment tool associated with the selected monitoring category and function. The values are compared and a determination is made if the trigger is exceeded. If the trigger is not exceeded the process returns to the initial step and continues to compare the values as aforementioned)

11.   Claim 5:

Wherry et al. shown, discloses the following limitations:

- *determining the quantity of triggers flagged for the selected creditor is performed in response to identifying at least one status indicator for the selected creditor* (see at least page 7 paragraph 0063….again, the user provides specific criteria determining when an alert will be generated and how the alert will be delivered)

12.   Claim 6:

Wherry et al. shown, discloses the following limitations:

- *responding to a series of inquiries with reference to the selected creditor* (see at least page 5 paragraph 0049….orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)

13.   Claim 7:

Wherry et al. shown, discloses the following limitations:

- *responding to a series of inquiries related to at least one of a predetermined model related to the selected creditor, a market related to the selected creditor, subjective criteria related to the selected creditor, industry conditions, economic conditions, occurrence of an event affecting the selected creditor, and a behavior of the selected creditor* (see at least page 5 paragraph 0049….orders are

processed by the batch server creating request for data. The request are

forwarded to a request server which retrieves data from a holdings database)

14.   **Claim 8:**

Wherry et al. shown, discloses the following limitations:

- *determining if a key risk review is necessary in response to the quantity of flagged triggers being greater than the pre-determined number* (see at least page 7 paragraph 0061....alternatively, the user can launch the investment tool associated with that alert and review the data that resulted in the notification to be posted on the user interface)

15.   **Claim 9:**

Wherry et al. shown, discloses the following limitations:

- *conducting a key risk review in response to the selected creditor corresponding to a predetermined loss in the event the creditor becomes bankrupt* (see at least page 1 paragraph 007....after gaining that information the manager may wish to examine the effect of such an investment on the risk of the portfolio using the information just obtained. To do so the manager must convert the data to a form that is compatible to both investment tools and then enter the information into the risk management investment tool for analysis)

16.   **Claim 10:**

Wherry et al. shown, discloses the following limitations:

- *performing a decided action in response to the key risk review* (see at least page 7 paragraph 0061....alternatively, the user can launch the investment tool associated with that alert and review the data that resulted in the notification to be posted on the user interface)
- *monitoring a status of the creditor* (see at least page 3 paragraph 0017....such monitoring including the status of interactions between the investment manager

and the various vendor provided investment tools that the manager employs to

manage his or her portfolio)

17.   **Claim 11:**

Wherry et al. shown, discloses the following limitations:

- *exposure review in response to the quantity of flagged triggers being greater than*
  the predetermined number and a key risk review not being performed (see at
  least page 7 paragraph 0061....alternatively, the user can launch the investment
  tool associated with that alert and review the data that resulted in the notification
  to be posted on the user interface)

18.   **Claim 12:**

Wherry et al. shown, discloses the following limitations:

- *generating a series of inquiries* (see at least page 5 paragraph 0049....orders are
  processed by the batch server creating request for data. The request are
  forwarded to a request server which retrieves data from a holdings database)
- *determining a quantity of triggers flagged based on responses to the series of*
  inquiries for a selected creditor (see at least page 7 paragraph 0063....again, the
  user provides specific criteria determining when an alert will be generated and
  how the alert will be delivered)
- *establishing an action plan in response to the quantity of flagged triggers being*
  greater than a predetermined number (see at least page 7 paragraph 0067....the
  reporting process receives from the monitoring process the user established
  criteria that would trigger an alert. The values are compared and a determination
  is made if the trigger is exceeded)

19.   **Claim 13:**

Wherry et al. shown, discloses the following limitations:

- *each inquiry relates to one of a predetermined model related to the selected creditor, a market associated with the selected creditor, subjective criteria associated with the selected creditor, industry conditions, economic conditions, occurrence of an event affecting the selected creditor and a behavior of the selected creditor* (see at least page 5 paragraph 0049....orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)

20.   **Claim 14:**

Wherry et al. shown, discloses the following limitations:

- *determining any change in a Standard and Poor's (S&P) bond rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *determining any change in a Moody's rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *determining any change in a credit default swap spread for the selected creditor by a predetermined number of basis points in a predetermined time period* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *determining any change in a bond spread for the selected creditor by a predetermined number of basis points in a predetermined time period* (see at least page 9 paragraph 0078....in situations where the manager wishes to

monitor specific stocks, the integrated system can provide a real-time summary

of individually chosen securities)

- *determining if the creditor has a broken or defective business model* (see at least

  page 9 paragraph 0079....the stock watch interface also allows a user to select a

  particular security/creditor and launch any of the investment tools with the

  selected security's data being populated into the chosen analytical tool)

- *determining if the creditor's industry is experiencing any downturn* (see at least

  page 9 paragraph 0079....the stock watch interface also allows a user to select a

  particular security/creditor and launch any of the investment tools with the

  selected security's data being populated into the chosen analytical tool)

- *determining any impact of any recent event on the creditor* (see at least page 9

  paragraph 0079....the stock watch interface also allows a user to select a

  particular security/creditor and launch any of the investment tools with the

  selected security's data being populated into the chosen analytical tool)

- *determining a nature or demeanor of the creditor's management* (see at least

  page 9 paragraph 0079....the stock watch interface also allows a user to select a

  particular security/creditor and launch any of the investment tools with the

  selected security's data being populated into the chosen analytical tool)

21.   **Claim 15:**

Wherry et al. shown, discloses the following limitations:

- *conducting a key risk review in response to the creditor corresponding to a*

  predetermined loss in the event of bankruptcy (see at least page 1 paragraph

  007....after gaining that information the manager may wish to examine the effect of

  such an investment on the risk of the portfolio using the information just obtained. To

  do so the manager must convert the data to a form that is compatible to both

  investment tools and then enter the information into the risk management investment

  tool for analysis)

22.   **Claim 16:**

Wherry et al. shown, discloses the following limitations:

- *performing a decided action in response to the key risk review* (see at least page 1

    paragraph 007....after gaining that information the manager may wish to examine the

    effect of such an investment on the risk of the portfolio using the information just

    obtained. To do so the manager must convert the data to a form that is compatible to

    both investment tools and then enter the information into the risk management

    investment tool for analysis)

- *monitoring a status of the creditor* (see at least page 3 paragraph 0017....such

    monitoring including the status of interactions between the investment manager and

    the various vendor provided investment tools that the manager employs to manage

    his or her portfolio)

23.   **Claim 17:**

Wherry et al. shown, discloses the following limitations:

- *performing an exposure review in response to the quantity of flagged triggers

    being greater than the predetermined number and a key risk review not being

    performed* (see at least page 1 paragraph 007....after gaining that information

    the manager may wish to examine the effect of such an investment on the risk of

    the portfolio using the information just obtained. To do so the manager must

    convert the data to a form that is compatible to both investment tools and then

    enter the information into the risk management investment tool for analysis)

24.   **Claim 18:**

Wherry et al. shown, discloses the following limitations:

- *taking no action in response to the quantity of flagged triggers being less than a

    predetermined number* (see at least page 7 paragraph 0067...at the same time

    the process receives data from the investment tool associated with the selected

    monitoring category and function. The values are compared and a determination

is made if the trigger is exceeded. If the trigger is not exceeded the process

returns to the initial step and continues to compare the values as

aforementioned)

25.   **Claim 19:**

Wherry et al. shown, discloses the following limitations:

- *monitoring the selected creditor in response to the quantity of flagged triggers being greater than the predetermined number* (see at least page 3 paragraph 0017....such monitoring including the status of interactions between the investment manager and the various vendor provided investment tools that the manager employs to manage his or her portfolio)

26.   **Claim 20:**

Wherry et al. shown, discloses the following limitations:

- *a processor* (see at least page 4 paragraph 0045....as a particular investment tool performs one of its functions and produces data useful to either the user or other investment tools, the data is transmitted to and received by a central processor)

- *least one trigger* (see at least page 7 paragraph 0067....the reporting process receives from the monitoring process the user established criteria that would trigger an alert)

- *credit action trigger program operable on the processor to generate a series of inquiries* (see at least page 5 paragraph 0049....orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)

- *determine a quantity of the at least one trigger being flagged based on responses to the series of inquiries for a selected creditor* (see at least page 7 paragraph 0063....again, the user provides specific criteria determining when an alert will be generated and how the alert will be delivered)

27.   **Claim 21:**

Wherry et al. shown, discloses the following limitations:

- *inquiry including a predetermined model related to the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *inquiry related to a market of the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *inquiry including subjective criteria related to the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *inquiry related to industry conditions in which the selected creditor does business* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *inquiry related to economic conditions* (see at least page 1 paragraph 007....after gaining that information the manager may wish to examine the effect of such an investment on the risk of the portfolio using the information just obtained. To do so the manager must convert the data to a form that is compatible to both investment tools and then enter the information into the risk management investment tool for analysis)

- *inquiry related to an impact of any events affecting the creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *inquiry related to a behavior of the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

28.   **Claim 22:**

Wherry et al. shown, discloses the following limitations:

- *change in a Standard and Poor's (S&P) bond rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *change in a Moody's rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *change in a credit default swap spread for the selected creditor by a predetermined number of basis points in a predetermined time period* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *change in a bond spread for the selected creditor by a predetermined number of basis points in a predetermined time period* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular

security/creditor and launch any of the investment tools with the selected

security's data being populated into the chosen analytical tool)

- *broken or defective business model* (see at least page 9 paragraph 0079....the

  stock watch interface also allows a user to select a particular security/creditor

  and launch any of the investment tools with the selected security's data being

  populated into the chosen analytical tool)

- *industry of the selected creditor is experiencing any downturn* (see at least page

  9 paragraph 0079....the stock watch interface also allows a user to select a

  particular security/creditor and launch any of the investment tools with the

  selected security's data being populated into the chosen analytical tool)

- *determination of any impact of any recent event on the selected creditor* (see at

  least page 9 paragraph 0079....the stock watch interface also allows a user to

  select a particular security/creditor and launch any of the investment tools with

  the selected security's data being populated into the chosen analytical tool)

- *determination of a nature or demeanor of the selected creditor's management*

  (see at least page 9 paragraph 0079....the stock watch interface also allows a

  user to select a particular security/creditor and launch any of the investment tools

  with the selected security's data being populated into the chosen analytical tool)

29.   **Claim 23:**

Wherry et al. shown, discloses the following limitations:

- *input device for a user to respond to the series of inquiries* (see at least page 4

  paragraph 0042....each of the client computers also includes a display device,

  and one or more input devices)

30.   **Claim 24:**

Wherry et al. shown, discloses the following limitations:

- *memory system to store the credit action trigger program and the inquiries* (see

  at least page 4 paragraph 0043....the external exponents contain data from an

outside source including a user, a user application program, and a browser. The

infrastructure includes an export server, a web server, a request server, a

schedule server, a package server and a monitoring server)

31.   **Claim 25:**

Wherry et al. shown, discloses the following limitations:

- *output device to present the series of inquiries to a user* (see at least page 4

  paragraph 0042....each of the client computers also includes a display device,

  and one or more input devices)

32.   **Claim 26:**

Wherry et al. shown, discloses the following limitations:

- *least one other processor for users to access the credit action trigger program*

  (see at least page 4 paragraph 0045....as a particular investment tool performs

  one of its functions and produces data useful to either the user or other

  investment tools, the data is transmitted to and received by a central processor)

33.   **Claim 27:**

Wherry et al. shown, discloses the following limitations:

- *browser operable on the at least one other processor to access the credit action*

  trigger program (see at least page 4 paragraph 0042....the client computers each

  include one or more processors and one or more storage devices)

34.   **Claim 28:**

Wherry et al. shown, discloses the following limitations:

- *providing a processor* (see at least page 4 paragraph 0045....as a particular

  investment tool performs one of its functions and produces data useful to either

  the user or other investment tools, the data is transmitted to and received by a

  central processor)

- *providing at least one trigger* (see at least page 7 paragraph 0067....the reporting process receives from the monitoring process the user established criteria that would trigger an alert)

- *providing a credit action trigger program operable on the processor to generate a series of inquiries* (see at least page 5 paragraph 0049....orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)

- *determine a quantity of the at least one trigger being flagged based on responses to the series of inquiries for a selected creditor* (see at least page 7 paragraph 0063....again, the user provides specific criteria determining when an alert will be generated and how the alert will be delivered)

35.   **Claim 29:**

Wherry et al. shown, discloses the following limitations:

- *inquiry including a predetermined model related to the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *inquiry related to a market of the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *inquiry including subjective criteria related to the selected creditor*(see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *inquiry related to industry conditions in which the selected creditor does business* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *inquiry related to economic conditions* (see at least page 1 paragraph 007....after gaining that information the manager may wish to examine the effect of such an investment on the risk of the portfolio using the information just obtained. To do so the manager must convert the data to a form that is compatible to both investment tools and then enter the information into the risk management investment tool for analysis)

- *inquiry related to an impact of any events affecting the creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *inquiry related to a behavior of the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

36. **Claim 30:**

Wherry et al. shown, discloses the following limitations:

- *providing means to determine any change in a Standard and Poor's (S&P) bond rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *providing means to determine any change in a Moody's rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph

0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *providing means to determine any change in a credit default swap spread for the selected creditor by a predetermined number of basis points in a predetermined time period* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *providing means to determine any change in a bond spread for the selected creditor by a predetermined number of basis points in a predetermined time period* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *providing means to determine a broken or defective business model* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *providing means to determine if an industry of the selected creditor is experiencing any downturn* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *providing means for determining any impact of any recent event on the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the

investment tools with the selected security's data being populated into the

chosen analytical tool)

- *providing means for determining a nature or demeanor of the selected creditor's*

  management (see at least page 9 paragraph 0079....the stock watch interface

  also allows a user to select a particular security/creditor and launch any of the

  investment tools with the selected security's data being populated into the

  chosen analytical tool)

37.   **Claim 31:**

Wherry et al. shown, discloses the following limitations:

- *providing an output device to present the series of inquiries to a user* (see at

  least page 4 paragraph 0042....each of the client computers also includes a

  display device, and one or more input devices)

38.   **Claim 32:**

Wherry et al. shown, discloses the following limitations:

- *input device for a user to respond to the series of inquiries* (see at least page 4

  paragraph 0042....each of the client computers also includes a display device,

  and one or more input devices)

39.   **Claim 33:**

Wherry et al. shown, discloses the following limitations:

- *providing a memory system to store the credit action trigger program and the*

  inquiries (see at least page 4 paragraph 0045....as a particular investment tool

  performs one of its functions and produces data useful to either the user or other

  investment tools, the data is transmitted to and received by a central processor)

40.   **Claim 34:**

Wherry et al. shown, discloses the following limitations:

- *generating a series of inquiries* (see at least page 5 paragraph 0049....orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)

- *determining a quantity of triggers flagged based on responses to the series of inquiries for a selected creditor* (see at least page 7 paragraph 0063....again, the user provides specific criteria determining when an alert will be generated and how the alert will be delivered)

- *establishing an action plan in response to the quantity of flagged triggers being greater than a predetermined number* (see at least page 7 paragraph 0067....the reporting process receives from the monitoring process the user established criteria that would trigger an alert. The values are compared and a determination is made if the trigger is exceeded)

41.   **Claim 35:**

Wherry et al. shown, discloses the following limitations:

- *each inquiry relates to one of a predetermined model related to the selected creditor, a market associated with the selected creditor, subjective criteria associated with the selected creditor, industry conditions, economic conditions, occurrence of an event affecting the selected creditor and a behavior of the selected creditor* (see at least page 5 paragraph 0049....orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)

42.   **Claim 36:**

Wherry et al. shown, discloses the following limitations:

- *determining any change in a Standard and Poor's (S&P) bond rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific

stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *determining any change in a Moody's rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *determining any change in a credit default swap spread for the selected creditor by a predetermined number of basis points in a predetermined time period* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *determining any change in a bond spread for the selected creditor by a predetermined number of basis points in a predetermined time period* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *determining if the creditor has a broken or defective business model* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *determining if the creditor's industry is experiencing any downturn* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *determining any impact of any recent event on the creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a

particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *determining a nature or demeanor of the creditor's management* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

43.   Claim 37:

Wherry et al. shown, discloses the following limitations:

- *taking no action in response to the quantity of flagged triggers being equal to the predetermined number* (see at least page 7 paragraph 0067...at the same time the process receives data from the investment tool associated with the selected monitoring category and function. The values are compared and a determination is made if the trigger is exceeded. If the trigger is not exceeded the process returns to the initial step and continues to compare the values as aforementioned)

44.   Claim 38:

Wherry et al. shown, discloses the following limitations:

- *monitoring the selected creditor in response to the quantity of flagged triggers being equal to the predetermined number* (see at least page 3 paragraph 0017....such monitoring including the status of interactions between the investment manager and the various vendor provided investment tools that the manager employs to manage his or her portfolio)

CONCLUSION

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Michael D. Cranford** whose telephone number is **571-272-3106.** The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James A. Reagan** can be reached at **571-270-6710**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair <http://pair-direct.uspto.gov >. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

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April 24, 2008
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